

**DURHAM, NORTH CAROLINA
MONDAY, JUNE 7, 2004
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Absent: None.

Also present: City Manager Marcia Conner, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with a moment of silent meditation and the Pledge of Allegiance led by Council Member Clement.

Mayor Bell noted GBA # 28 [Proposed Fiscal Year 2004-2005 Budget and Fiscal Year 2005-2010 Capital Improvement Plan] will be discussed after the Consent Agenda. Also, he congratulated Police Chief Steve Chalmers and staff for the work they've done in clearing some of the homicides that have occurred this year.

Relative to Council Member Stith's request for an update on M/WBE achievement for the American Tobacco project, City Manager Conner reported the administration is waiting on another report from American Tobacco relative to achievements of SDBE goals and Council should receive an update by June 21, 2004 City Council Meeting.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Conner commented on the Supplemental Agenda items and noted the District Attorney requested that Supplemental Item #47 [Contract with Administrative Office of the Courts] be heard earlier in the meeting. Also, she requested that an item be added to agenda [Cancellation of Regular City Council Work Session and Regular City Council Meeting—July 8 and July 19, 2004].

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to accept the City Manager's priority items was approved at 7:09 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

[ITEM ADDED TO AGENDA]

**SUBJECT: CANCELLATION OF REGULAR CITY COUNCIL WORK
SESSION AND REGULAR CITY COUNCIL MEETING**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt an ordinance cancelling the regular City Council Work Session and regular City Council Meeting for July 8, 2004 and July 19, 2004 was approved at 7:10

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p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti and Clement. Noes: Council Member Stith. Absent: None.

Ordinance #12944

There were no priority items from the City Attorney and City Clerk.

[SUPPLEMENTAL ITEM]

SUBJECT: CONTRACT WITH ADMINISTRATIVE OFFICE OF THE COURTS – JAMES E. HARDIN, DISTRICT ATTORNEY

District Attorney James Hardin provided background information on this item.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into a contract with the Administrative Office of the Courts in the amount of \$46,296; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:12 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. Consent Agenda Items # 19, 31, 34, 38, 40 and 42 were pulled.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to approve the Consent Agenda as amended was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: VOLUNTARY ANNEXATIONS RECEIVED PRIOR TO JANUARY 1, 2004 AND BEFORE APRIL 1, 2004

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt resolutions scheduling public hearings for Monday, June 21, 2004 to hear citizen comments concerning petitions for the following properties to be annexed with a recommended effective date of June 30, 2004 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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- A. Junction Road/Habitat for Humanity – **Resolution #9114**
- B. Roberts Property (Grove Pointe) – **Resolution #9109**
- C. Pearl Knoll – **Resolution #9106**
- D. Ellerbee Creek Preserve Subdivision – **Resolution #9111**
- E. Grandale Drive – Herndon Tract - **Resolution #9113**
- F. Children’s Campus at Southpointe - **Resolution #9110**
- G. Ridgefield – Section 9 – **Resolution #9108**
- H. Page Road Carwash – **Resolution #9107**
- I. GM Smart/Green Property – **Resolution #9112**
- J. Kendrick Estates (Carillon) – **Resolution #9115**
- K. Landings at American Village – **Resolution #9116**

SUBJECT: CITY COUNCIL MINUTES

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to approve the City Council minutes for the May 3, 2004 regular City Council Meeting; and

To approve City Council action taken at the May 6, 2004 City Council Work Session was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM OPEN SPACE & TRAILS COMMISSION APPOINTMENT

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to appoint Carol E. Trust to the Durham Open Space & Trails Commission to represent Ward 1 with a term to expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: HUMAN RELATIONS COMMISSION – RECEIPT AND ACCEPTANCE OF APPLICATIONS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept applications for citizens to fill one (1) Non-Minority Female vacancy, one (1) Minority Female vacancy and one (1) Non-Minority Male vacancy on the Human Relations Commission--terms will expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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SUBJECT: HOUSING APPEALS BOARD – RECEIPT AND ACCEPTANCE OF APPLICATIONS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept applications to fill three (3) vacancies on the Housing Appeals Board for two (2) Alternate Members representing Law and At-Large and one (1) Regular Member representing Neighborhood Association--terms will expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: ENVIRONMENTAL AFFAIRS BOARD – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept an application to fill one (1) vacancy on the Environmental Affairs Board to represent Law--term will expire June 1, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM OPEN SPACE & TRAILS COMMISSION – RECEIPT AND ACCEPTANCE OF APPLICATIONS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept applications to fill one (1) vacancy on the Durham Open Space & Trails Commission to represent Ward 3--term will expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM PLANNING COMMISSION – APPOINTMENTS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to appoint Don Moffitt to represent District 1 and to reappoint Carlyle C. White to represent District 5 and Joseph R. Parker to represent At-Large on the Durham Planning Commission--terms will expire on June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM BOARD OF ADJUSTMENT – RECEIPT AND ACCEPTANCE OF AN APPLICATION

June 7, 2004

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept an application to fill one (1) vacancy on the Durham Board of Adjustment for a Regular Member--term will expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: LYON PARK ADVISORY BOARD – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept an application for a citizen to fill one (1) vacancy on the Lyon Park Advisory Board to represent the Forest Hills neighborhood--term will expire June 30, 2005 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CITIZENS ADVISORY COMMITTEE – RECEIPT AND ACCEPTANCE OF APPLICATIONS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive and accept applications for citizens to fill three (3) vacancies for At-Large members on the Citizens Advisory Committee--One term will expire June 30, 2006 and two terms will expire June 30, 2007 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: BID REPORT - MARCH 2004

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of March 2004 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

CITY OF DURHAM NORTH CAROLINA

May 12, 2004

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Kenneth C. Pennoyer, Finance Director

June 7, 2004

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of March 2004.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Estimated Annual Requirements for Ready Mixed Concrete and Related Items

Purpose of Bid: To establish a fixed price, term contract for Ready Mixed Concrete

Comments:

Opened: January 30, 2004

Bidders:	Carolina Sunrock Corporation	* \$50,540.00
	Butner, NC	
	Chandler Concrete Company, Inc.	\$66,250.00
	Burlington, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	146		# Black Males	49	33%
Total # Females	13	9%	# White Males	74	51%
Total # Males	133	91%	# Other Males	10	7%
			# Black Females	1	1%
			# White Females	12	8%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

2. Bid: Zero Turn Industrial Mower

Purpose of Bid: To purchase a mower for the Environmental Resources Department

Comments:

Opened: February 23, 2004

Bidders:	Senter Tractor	* \$11,000.00
	Raleigh, NC	
	Holder & Sons	\$11,249.25
	Durham, NC	
	Quality Mower & Saw	\$12,299.96
	Durham, NC	

June 7, 2004

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	18		# Black Males	1	6%
Total # Females	2	11%	# White Males	15	83%
Total # Males	16	89%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

3. Bid: Industrial Mower

Purpose of Bid: To purchase a mower for the Environmental Resources Department

Comments:

Opened: February 23, 2004

Bidders:	Senter Tractor	* \$14,800.00
	Raleigh, NC	
	Smith Turf & Irrigation	\$16,200.00
	Charlotte, NC	
	Revels Tractor Company	\$17,281.96
	Fuquay-Varina, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	18		# Black Males	1	6%
Total # Females	2	11%	# White Males	15	83%
Total # Males	16	89%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

4. Bid: Norstar Telephone System

Purpose of Bid: To provide the Information Technology Department with a large Norstar Telephone System.

Comments: The Norstar Telephone System will be placed in stock and serve as a backup system.

June 7, 2004

Opened: February 23, 2004

Bidders:	Dial Tone Corporation	* \$14,605.00
	Algonquin, IL	
	Verizon South	\$18,028.40
	RTP, NC	
	Sprint	\$18,555.62
	Raleigh, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	115		# Black Males	32	28%
Total # Females	35	30%	# White Males	40	35%
Total # Males	80	70%	# Other Males	8	7%
			# Black Females	6	5%
			# White Females	20	17%
			# Other Females	9	8%

The SDBE Data Base was used in the solicitation of bids for this item.

5. Bid: ID 1000 10-Print LiveScan System

Purpose of Bid: To provide the Police/Forensics unit with a fingerprinting system

Comments: This equipment is used in conjunction with Durham County Law Enforcement and SBI offices.

Opened: February 24, 2004

Bidders:	CrossMatch Technologies	*\$34,387.00
	Palm Beach Gardens, FL	
	Printrak, International	\$43,621.00
	Anaheim, CA	
	Comnetix Computer Systems	\$50,271.00
	Oakville, Ontario	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	151		# Black Males	3	2.5%
Total # Females	29	19.2%	# White Males	100	82.0%
Total # Males	122	80.8%	# Other Males	19	15.6%
			# Black Females	0	0%
			# White Females	23	79.3%
			# Other Females	5	17.2%

June 7, 2004

LOCATION OF PERFORMING CONTRACT
Greer, SC

Total Workforce	1		# Black Males	0	0%
Total # Females	0	0%	# White Males	1	100%
Total # Males	1	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

6. Bid: Installation and Disposal of the Lights at the Durham Bulls Athletic Park

Purpose of Bid:

Comments: Bids were solicited from 18 contractors and only one response was received.

Opened: February 25, 2004

Bidders: Tommy Lawrence Electrical Contractors, Inc. * \$14,996.00
Roxboro, NC

*Awarded based on: Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	12		# Black Males	0	0%
Total # Females	1	8%	# White Males	11	92%
Total # Males	11	92%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	8%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

7. Bid: New Roof on the East Engine Room at the Williams WTP

Purpose of Bid: To replace the aging roof on the East Engine Room at the Williams WTP

Comments:

Opened: March 10, 2004

Bidders: Greensboro Roofing Company * \$35,300.00
Greensboro, NC
Triangle Roofing Company \$39,680.00

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RTP, NC	
Baker Roofing	\$41,580.00
Raleigh, NC	
Pickard Roofing Company	\$54,623.00
Durham, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	27		# Black Males	7	25%
Total # Females	3	11%	# White Males	5	19%
Total # Males	24	89%	# Other Males	12	45%
			# Black Females	0	0%
			# White Females	3	11%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

8. Bid: Compact Excavator

Purpose of Bid: To provide the Storm Water Maintenance Division with a Compact Excavator

Comments:

Opened: March 11, 2004

Bidders:	Triangle Equipment Company	* \$75,695.00
	Raleigh, NC	
	Rental Service Corporation	\$84,215.91
	Durham, NC	
	Briggs Construction Equipment, Inc.	\$94,656.00
	Raleigh, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	19		# Black Males	1	5%
Total # Females	4	21%	# White Males	13	69%
Total # Males	15	79%	# Other Males	1	5%
			# Black Females	0	0%
			# White Females	3	16%
			# Other Females	1	5%

The SDBE Data Base was used in the solicitation of bids for this item.

9. Bid: 33 PTO HP Utility Tractor

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Purpose of Bid: To provide the Impact Team with a new Tractor

Comments:

Opened: March 17, 2004

Bidders:	Barnhill Equipment Company	* \$21,940.26
	Durham, NC	
	Senter Tractor Company	\$21,950.00
	Raleigh, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	11		# Black Males	0	0%
Total # Females	2	18%	# White Males	8	73%
Total # Males	9	82%	# Other Males	1	9%
			# Black Females	0	0%
			# White Females	2	18%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

10. Bid: Aluminum Bleachers for Long Meadow Park

Purpose of Bid:

Comments:

Opened: March 17, 2004

Bidders:	Cunningham Associates, Inc.	* \$17,180.00
	Charlotte, NC	
	Outdoor Aluminum, Inc.	\$19,163.00
	Geneva, AL	
	Outdoor Aluminum, Inc.	\$22,321.00
	Geneva, AL	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	12		# Black Males	0	0%
Total # Females	4	33%	# White Males	8	67%
Total # Males	8	67%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	4	33%

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Other Females 0 0%

The SDBE Data Base was used in the solicitation of bids for this item.

11. Bid: Trench Shoring Boxes

Purpose of Bid: To provide the Public Works Department with Trench Boxes.

Comments:

Opened: March 17, 2004

Bidders:	Sunbelt Rentals	* \$23,648.16
	Durham, NC	
	United Rentals	\$24,753.90
	Charlotte, NC	
	MSP Rents	\$26,082.10
	Raleigh, NC	
	Coble Trench Safety	\$31,551.56
	Raleigh, NC	
	Briggs construction Equipment	\$38,637.40
	Raleigh, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	11		# Black Males	0	0%
Total # Females	0	0%	# White Males	11	100%
Total # Males	11	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

12. Bid: Estimated Two Years Requirements for Water Meter Repair
Clamps and Meter Couplings

Purpose of Bid: To establish a fixed price, term contract for water meter repair clamps
and meter couplings

Comments:

Opened: March 22, 2004

Bidders:	Miller Supply	*\$33,726.70
	Laurinburg, NC	
	Pipeline Supply	\$34,270.48
	Sanford, NC	

June 7, 2004

National Waterworks
Morrisville, NC

\$34,908.16

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	9		# Black Males	1	10%
Total # Females	0	0%	# White Males	8	90%
Total # Males	9	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

LOCATION OF PERFORMING CONTRACT
Laurinburg, NC

Total Workforce	4		# Black Males	1	10%
Total # Females	0	0%	# White Males	3	90%
Total # Males	4	100%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	0	0%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

13. Bid: Printing and Fulfillment for the Annual Water Quality Report

Purpose of Bid:

Comments: The bid from Litho Industries only included printing, and did not contain the mailing portion of the bid. Sir Speedy Printing is the lowest responsive bidder bidding on all items.

Opened: March 31, 2004

Bidders:	Litho Industries (incomplete bid)	\$13,889.00
	Durham, NC	
	Sir Speedy Printing *	\$17,869.86
	Durham, NC	
	Theo Davis Sons, Inc.	\$18,750.00
	Zebulon, NC	

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	23		# Black Males	2	9%
Total # Females	11	48%	# White Males	10	43%

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Total # Males	12	52%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	11	48%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

14. Bid: Refurbish Workstation Panels for the 311 Call Center

Purpose of Bid:

Comments: Bids were solicited from several bidders and only one response was received.

Opened: March 31, 2004

Bidders: RCWS, Inc. * \$11,248.86
Durham, NC

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	10		# Black Males	5	50%
Total # Females	1	10%	# White Males	4	40%
Total # Males	9	90%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	10%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: BID REPORT - APRIL 2004

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of April 2004 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

CITY OF DURHAM NORTH CAROLINA

May 12, 2004

June 7, 2004

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Kenneth C. Pennoyer, Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of April 2004.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Bid: Furnish and Install Carpet at the Durham Civic Center

Purpose of Bid:

Comments:

Opened: March 5, 2004

Bidders:	Bull City Rug and Interior	* \$82,863.47
	Durham, NC	
	Eatman's Carpet	\$88,152.57
	Raleigh, NC	

*Awarded based on: ☒ Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	26		# Black Males	5	19%
Total # Females	5	19%	# White Males	7	27%
Total # Males	21	81%	# Other Males	9	35%
			# Black Females	0	0%
			# White Females	5	19%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

2. Bid: Digester Gas Compressor System

Purpose of Bid: To replace the Digester Gas Compressor System at the North Durham Water Reclamation Facility

Comments: Nash Elmo Industries is the sole source for the needed Gas Compressor System. The Compressors are replacement units that are a part of the larger Digester Mixing System.

Opened: March 15, 2004

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Bidders: Nash Elmo Industries, Inc. * \$84,160.00
Charlotte, NC

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	245		# Black Males	4	2%
Total # Females	60	24%	# White Males	172	70%
Total # Males	185	76%	# Other Males	9	4%
			# Black Females	10	4%
			# White Females	48	19%
			# Other Females	2	1%

The SDBE Data Base was used in the solicitation of bids for this item.

3. Bid: Environmental Resources/Muffin Monster Grinder

Purpose of Bid: This grinder is for the North Durham Water Reclamation Facility to shred any material that would interrupt the flow of wastewater.

Comments: JWC Environmental/Heyward is the sole source for this grinder.

Opened: April 2, 2004

Bidders: JWC Environmental/Heyward *\$14,232.00
Charlotte, NC

*Awarded based on: _____ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	142		# Black Males	0	0%
Total # Females	24	17%	# White Males	53	37%
Total # Males	118	83%	# Other Males	66	47%
			# Black Females	0	0%
			# White Females	19	13%
			# Other Females	4	3%

The SDBE Data Base was used in the solicitation of bids for this item.

4. Bid: School Crossing Flashers

Purpose of Bid: To provide the Signal Division with School Crossing Flashers

Comments:

Opened: April 21, 2004

June 7, 2004

Bidders: Walker Brothers, Inc. * \$53,575.00
Lexington, SC
US Traffic Corporation \$57,085.00
Santa Fe Springs, CA

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	25		# Black Males	3	12%
Total # Females	3	12%	# White Males	14	56%
Total # Males	22	88%	# Other Males	5	20%
			# Black Females	0	0%
			# White Females	3	12%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

5. Bid: Replacement parts for the UV Systems at the North and South Durham Water Reclamation Facilities

Purpose of Bid:

Comments: EW2 Environmental, Inc., is the sole source for these replacement parts.

Opened: April 22, 2004

Bidders: EW2 Environmental, Inc. * \$70,458.00
Charlotte, NC

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	8		# Black Males	0	0%
Total # Females	2	25%	# White Males	6	75%
Total # Males	6	75%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	25%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

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SUBJECT: BIDS – DIGITAL MINI PHOTO LAB SYSTEM - NORITSU AMERICA CORPORATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to accept the bid from Noritsu America Corporation in the amount of \$105,580.03 for providing the City with one Digital Mini-Lab System; and

To authorize the City Manager to enter into a contract with Noritsu America Corporation in the amount of \$105,580.03 for providing the City with one Digital Mini-Lab System; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT BIDS – TERM CONTRACT FOR AGGREGATES - CAROLINA SUNROCK CORPORATION - HANSON AGGREGATES SOUTHEAST, INC.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to accept the bid from Carolina Sunrock Corporation, in the amount of \$95,712.50 for providing the City with Section I – Aggregates Delivered; and

To accept the bid from Hanson Aggregates Southeast, Inc., in the amount of \$145,065 for providing the City with Section II – Aggregates – Picked Up and Section III – Special Aggregates Delivered; and

To authorize the City Manager to modify the respective contracts before execution provided that modifications do not increase the dollar amount of the contracts and the modifications are consistent with the general intent of the existing version of the contracts was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: FIRE LANE DESIGNATION AT FOOD LION (3002 FAYETTEVILLE STREET)

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt an Ordinance designating a fire lane on private property located at the Food Lion, 3022 Fayetteville Street, pursuant to Durham City Code 20-190, Category

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XVII was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Ordinance #12945

SUBJECT: CONTRACT SD-2004-01 – STORMWATER DRAINAGE IMPROVEMENTS - NARRON CONSTRUCTION, INC.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to authorize the City Manager to execute Contract SD 2004-01 with Narron Construction, Inc. of Middlesex, North Carolina in the amount of \$220,630.50 for Stormwater Drainage Improvement projects; and

To authorize the City Manager to establish a contingency fund for Stormwater Drainage Improvement projects of \$110,315; and

To authorize the City Manager to execute change orders for Contract SD-2004-01 Stormwater Drainage Improvements for the projects initially identified in the contract and for additional stormwater projects provided that the total additional cost of the contract does not exceed \$110,315 and the total project cost for Contract SD 2004-01 does not exceed \$330,945; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CONTRACT FOR CENTRAL PARK ENVIRONMENTAL RESTORATION DESIGN SERVICES – BUCK ENGINEERING PC

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to authorize the City Manager to execute the Durham Central Park Environmental Restoration Design Services contract with Buck Engineering PC in an amount not to exceed \$35,000; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract, and are consistent with the general intent of the version of the contract approved by City Council was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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SUBJECT: N.C. DEPARTMENT OF TRANSPORTATION MUNICIPAL AGREEMENT APEX STREET BRIDGE REPLACEMENT PROJECT B-4698 (CITY ATLAS PAGE 62, BLOCK C-1)

To adopt a resolution authorizing the City Manager to execute a Municipal Bridge Agreement for Project B-4698 Apex Street Bridge Replacement.

Note: This item was moved to the June 10, 2004 Work Session.

SUBJECT: AMENDMENT TO THE TRANSPORTATION PLANNING GRANT PROJECT ORDINANCE 12853 FOR FY 2003-2004

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt the 'City of Durham and North Carolina Department of Transportation - Section 104(f) and Section 133(b)(3)(7) Transportation Planning Grant Project Ordinance - FY 2003-2004, Superseding Grant Project Ordinance 12853 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Ordinance #12946

SUBJECT: SMALL BUSINESS LOAN PROGRAM

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive a report on the Small Business Loan Program was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: LOAN PORTFOLIO

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive a report on the Loan Portfolio was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM COMPREHENSIVE PLAN AND DURHAM UNIFIED DEVELOPMENT ORDINANCE

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive a presentation on the Durham Comprehensive Plan and Unified

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Development Ordinance and to proceed with public informational meetings on these efforts was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CAROLINA JAMES-RIVERA

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive comments from Carolina James-Rivera on Fraud, Waste, Tax and Truancy was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM CRIMESTOPPERS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive comments from Kent Fletcher requesting an appeal to Council to accept and grant a request for funding was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: LEON PARKER

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive comments from Leon Parker on water drainage on lot 710 Wortley Drive was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: PROFESSIONAL FIREFIGHTERS OF DURHAM LOCAL 668

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to receive comments from Elaine D. Towner referencing an exclusion of local 668 in regards to the Solicitation Ordinance was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CAFÉ FEED ME

To receive a report from the Administration on a request to serve alcohol on the patio on top of the parking garage at the Durham Center.

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Note: This item was moved to the June 10, 2004 Work Session.

SUBJECT: SALE OF PROPERTY AT 1806 NORTHGATE STREET, CITY TRACT # 2065, PIN # 0832-09-06-0079, OLD TAX MAP # 078-03-012, PARCEL ID # 106640 - WHITNEY WILKERSON AND RAVEN NAMOCCHIO

To reject Whitney Wilkerson and Raven Namocchio's offer of \$68,000 to purchase the property at 1806 Northgate Street.

Note: This item was approved at the May 20, 2004 Work Session with a vote of 6/0.

SUBJECT: RESOLUTION TO ENCOURAGE AND SUPPORT THE CONSIDERATION OF TOLL FINANCING TO CONSTRUCT THE TRIANGLE PARKWAY (NC 147 SOUTHERN EXTENSION FROM I-40 TO I-540)

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt a "Resolution to Encourage and Support the Consideration of Toll Financing to Construct the Triangle Parkway (NC 147 Southern Extension from I-40 to I-540)" was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Resolution #9118

SUBJECT: CONTRACT AMENDMENT WITH KIMLEY-HORN AND ASSOCIATES FOR DOWNTOWN STREET IMPROVEMENTS PHASES I & II

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to authorize the City Manager to execute a contract amendment with Kimley-Horn & Associates in an amount not to exceed \$106,710 for downtown street improvements phases I & II; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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At this time during the meeting, GBA #28 was heard.

[GENERAL BUSINESS AGENDA – PUBLIC HEARING]

**SUBJECT: CITY OF DURHAM PROPOSED FISCAL YEAR 2004-2005
BUDGET AND FISCAL YEAR 2005-2010 CAPITAL
IMPROVEMENT PLAN**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Susan Breed, representing DATA Pride Ambassadors and bus riders, spoke in support of funding for service improvement plan.

Mark Bullock, representing ARC of Durham County, urged Council to reconsider ARC's request of \$5,000 to support their common ground program.

Shelisa Howard spoke in support of funding for Durham Literary Center's ESOL (English for Speakers of Other Languages) program.

Chris Tiffany spoke in support of funding for sidewalks, paving of dirt streets and courtesy signs on DATA buses.

Julia Harrelson, of 931 E. Main Street, asked Council to reconsider her application for funding for Friendship Fellowship Outreach Center. Also, she made comments on the score her organization received.

Diane Wright, representing the Campaign for Decent Housing, urged Council to support four housing inspectors and support staff to be funded out of the general fund; non-profits who have a proven track record and the volunteer repair program to assist elderly and disabled homeowners and another staff person to manage the program. Also, she suggested that the administration get more aggressive about collecting fines to address housing needs.

Shyanna Smith, of 1236 Berkley Street, made comments in support of the volunteer repair program.

Rich Lee, of Durham Affordable Housing Coalition, urged Council to support funding for non-profit organizations.

Richard Mullinax, of 921 N. Mangum Street, spoke in support of request submitted by the Campaign for Decent Housing.

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Rev. Para Drake, of 107 N. Driver Street, urged Council to cool down the hot spots in East Durham by voting for four new housing inspectors and two support staff to clear out and clean up the beautiful streetscape in this area.

Rev. Herbert Davis, representing Durham CAN, asked council to dedicate a two-cent increase in the City property tax for youth programs in the City.

A resident of Red Mill Road spoke in support of funding for youth programs.

A resident of Durham spoke in support of funding for after-school programs for youth.

Jesus Queriapa, of 1832 Liberty Street, asked Council to invest in their future by supporting after-school programs for youth.

Rev. Cornelius Battle, representing Durham CAN, asked Council to set aside funds to invest in our youth to keep them off the streets so that they can maximize their full potential.

Marianna Colescurtis, representing Durham CAN, urged the City Council to support a fair and living wage policy and affordable youth programs.

Rev. Mel Williams urged Council to support a living wage and to increase funding for youth to reduce poverty and increase the quality of life for our citizens.

Bill Hart spoke in support of Council making an adjustment to the living wage.

Ann Stock noted Durham CAN would like to see the lowest paid workers in the City making 7.5% above poverty.

Kim Curtis, representing Durham CAN, urged Council to: 1) fund after-school and summer camp programs in public housing sites; 2) provide scholarships for children from low-income families; 3) provide funding for staff at recreation centers and 4) fund training and staff development.

John Schelp, representing Durham CAN and NAACP, urged Council to support the living wage proposal.

Anna Mosely, representing Religious Coalition for a Nonviolent Durham, spoke in support of Durham CAN's call for an increase in funding for youth programs.

Elvira Basnight, of 907 Chalk Level Road, urged Council to support funding for dirt streets and gravel roads in Durham and made comments on a petition in support of this effort.

Cheryl Sweeney, of 206 W. Club Boulevard, thanked Council for meeting with Citizens Observer Patrol [COP] and their support for the program.

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Pam Karriker, of 2308 Stroller Avenue, spoke in opposition to the tax fee increases proposed for this budget noting there is a problem with City administering their money. Also, she requested an audit of both finances and processes of the entire City government by an independent firm.

Deana Merrill spoke in support of funding for the Durham Literacy Council.

A citizen urged Council to support the English program sponsored by the Durham Literacy Council.

Fred Hawkins asked Council to support funding for Durham Literacy Council's ESOL program.

Debra Kelly, representing Durham Literacy Council, urged Council to support English as a second language.

Anna Wilson urged Council to support funding for Mallarme Chamber Players.

Arnold Dennis spoke in support of funding for the Rites of Passage program, Durham Literacy Council and the Durham Business and Professional Chain.

Matt Epstein, of Child & Parent Support Services, urged Council to respond to their request to include a Child Advocacy Center in the budget this year to respond to sexual abused children in the community.

Warren Herndon asked Council to reconsider funding for the Rites of Passage program and the Durham Business and Professional Chain.

Shawn Asor Sallah, Sr. spoke in support of how important the Rites of Passage program is to the community.

Anwar Harris expressed to Council what the Rites of Passage program has meant to him.

David Cunningham encouraged Council to financially support the Rites of Passage program.

Malcolm Cunningham noted the Rites of Passage program is a very good program which has helped him to become a better leader and to make good decisions.

James Tatum spoke in support of funding for the Rites of Passage program explaining how this program has changed his son.

Alexander Scott spoke in favor of the Rites of Passage program noting it has changed his attitude and outlook on life.

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Anita Keith-Foust, of 323 W. Trinity Avenue, made comments in support of the City Manager. She gave an overview of handout provided to City Clerk outlining the following issues: access to Old North Durham Park, playground for Central Park School for Children, previous care of the Park and \$100,000 request by staff for North Durham Park.

Grace Marsh asked Council to reconsider funding for Women in Action's clearinghouse.

Rev. Philip Jackson urged Council to reconsider their decision to deny funding for the New Beginnings Outreach program.

Nanette Matthews spoke in support of funding for the New Beginnings program.

Martina Dunford urged Council to reconsider funding for the New Horizons program servicing long-term and 365 day suspended students.

Ty Cox, representing Equal Business Opportunity Advisory Committee, urged Council to support a mentor protégé program and youth programs.

David Harris, of 609 Saddle Ridge Avenue, asked Council to support the expansion of the Citizens Observer Patrol program.

Thelma White, of 1015 Jerome Road, urged Council to support funding to: widen Fayetteville Road and add sidewalks from Stanford L. Warren Library to the Martin Luther King, Jr. intersection; 2) widen Riddle Road and add sidewalks from Fayetteville Street to Ellis Road; 3) add a left-turn signal in the eastbound lane on Highway 55 and Riddle Road; 4) add a left-turn lane and left turn signal on Riddle Road (heading from Fayetteville Road) onto Highway 55; and 5) add a left turn signal at the intersection of Fayetteville Road onto Riddle Road.

Fred White, of 1015 Jerome Road, spoke in support of the widening of Fayetteville Street, Riddle Road and adding sidewalks for the safety of our children walking to and from schools.

Margaret Davis, of 5534 Sunlight Drive, spoke in support of the employment and accommodation ordinance urging Council to give power back to the Human Relations Department to investigate issues of discrimination.

Rev. Rodney Green, of 1014 Carroll Street, urged Council to support funding for Changing A Generation Outreach Ministry.

LaVonnia Allison, representing DCABP, made comments in opposition to the budget and spoke in support of funding for youth programs.

Tina Chavis urged Council to reconsider funding for Durham Companions.

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Newman Aguiar, of 909 Demerius Street, thanked Council for supporting the pilot program Citizens Observer Patrol on September 29, 2003 and urged Council to expand the program.

Johnny White urged Council to approve funding for an administrative assistant to the Taxicab Administrator.

Pastor Sylvester Williams, 404 Sparella Street, noted East Durham has been neglected and improvements need to be made at C. R. Wood Park and Sherwood Park.

Victoria Peterson requested funding for Triangle Citizens Rebuilding Communities.

Aurelia Fowler, representing Partners for Youth, urged Council to support after-school activities for the youth.

Rita Gregory, DATA Board Member, noted it is not fair for the people of Durham and others to suffer the inequities of transit executives.

James Chavis, Jr., of 801 Underwood Avenue #C, requested the administration/Mayor to provide a report on the young children from ages two to six years of age that were in a private pool on April 24.

Mike Shiflett, representing the Housing Appeals Board, noted he would like to see that the fines and penalties being collected for violations of the minimum housing code be expanded. Also, he spoke in support of the sale of surplus property program.

Grace Jones, of 4711 Shadebush Drive, spoke in support of funding for the New Horizons program.

Mayor Bell declared the public hearing closed.

Mayor Bell asked the City Manager to review the 2003-04 budget and provide information on the dollar amount the City is spending for programs that involve our young people, how many young people are being served with that amount and to include non-city agencies that were funded. For the proposed 2004-05 budget, Mayor Bell requested the administration to provide how many dollars are being proposed to be spent and how many young people are being proposed to be served by those programs. Also, he announced there will be budget discussions on Thursday, June 10, 2004.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to conduct a public hearing and receive public comments on the City of Durham's Proposed Fiscal Year 2004-2005 Budget and Proposed Fiscal Year 2005-2010 Capital Improvement Plan was approved at 9:43 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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[MEETING RECESSED UNTIL 9:50 P.M.]

[ITEMS PULLED FROM CONSENT AGENDA]

SUBJECT: MODIFICATION OF THE LOAN REPAYMENT TERMS FOR THE HOUSING AUTHORITY OF THE CITY OF DURHAM, D/B/A EDMONT ELMS LIMITED PARTNERSHIP (DEVELOPMENT VENTURES, INC., GENERAL PARTNER)

To approve the 10-year extension of the loan repayment term, and the retention of the current monthly loan payment during the extension period for the Housing Authority of the City of Durham, Edgemont Elms Limited Partnership loan; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council.

Mayor Bell stated this item has been moved to the June 10, 2004 City Council Work Session.

City Manager Conner noted a meeting has been scheduled with DHA to discuss their new proposal and staff will provide a recommendation to Council at the June 10, 2004 Work Session.

Frank Almendarez, representing Concerned Citizens for Accountable Government, Inc., noted the proposed tax and water & sewer increases are out of order, requested an independent outside audit and expressed concern with tax dollars being wasted.

Internal Auditor Wanda Page informed Council that a copy of the RFP to solicit proposals to perform the City's external audit this fall was made available to Concerned Citizens for Accountable Government, Inc. on the day after the May 24 Audit Services Committee meeting.

Mayor Bell asked the administration to follow up with them to see if there is something that's not being requested in the RFP that they would like to see and if there are auditing firms that should be added to the list.

Mary Goodwin, of Concern Citizens for Accountable Government, noted taxpayers are concerned with paying higher taxes, made comments on the City loans and noted she would like for the City Council to be accountable to the taxpayers by letting citizens know where their dollars are being spent.

Council Member Catotti made comments on the budget, 1996 bonds and fiscal management.

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Note: This item was moved to the June 10, 2004 Work Session.

SUBJECT: LOCATIONS FOR HOT FOOD VENDORS

Muhammad Addallah, of 2330 Dedford Street, asked Council to review and revise regulations for permanent and temporary locations for hot food vendors.

Finance Director Ken Pennoyer noted the administration is willing to work with Mr. Addallah to identify areas he is interested in locating and would refer that information to the Police Department to determine if those locations had any safety issues.

MOTION by Council Member Clement seconded by Council Member Catotti to receive a report from the Administration on the locations for Hot Food Vendors was approved at 10:08 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

MOTION by Council Member Best seconded by Council Member Catotti to extend the meeting beyond 10:00 p.m. was approved at 10:08 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT ANITA KEITH-FOUST

To receive comments from Anita Keith-Foust on neighborhood concerns.

Anita Keith-Foust commented on access issue surrounding the park urging Council to open Old North Durham Park so that the children can have access to the park.

City Manager Conner briefed Council noting there will be a meeting with the school to renegotiate access on the driveway.

Council Member Clement made comments on his site visit to the property. Also, he requested that this matter be resolved by Thursday.

Mark Greenspan updated Council on this item. He noted the paved access has been conveyed to the school, there are multiple ways to enter into the park and staff is working with the school to resolve access over the paved portion and equally staff is designing an access point south of the school in the event the City cannot reach an amicable negotiated entry through that area. He noted in the CIP that Council is deliberating, there is funding to renovate the park and staff will be doing some minor maintenance to correct some of

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the deficiencies and the long-term solution will be handled through the adoption of the CIP.

Relative to the immediate area, Council Member Best asked the administration to send out public notices when meetings occur so that citizens can have input on what happens with this public park.

Council Member Stith expressed concern with the primary access being given to the school.

Mark Greenspan noted the field will be rehabilitated following the adoption of the CIP.

Richard Mullinax made comments on the two access points to the park.

City Manager Conner noted the administration will meet with the school regarding access and will provide a report at the June 21, 2004 City Council Meeting.

MOTION by Council Member Clement seconded by Council Member Stith to receive comments from Anita Keith-Foust on neighborhood concerns; and

To receive a report from the administration at the June 21, 2004 City Council Meeting concerning access to the Old North Durham Park was approved at 10:27 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM VOTER COALITION

Fred Foster, Jr., of the Durham Voter Coalition, urged Council to place in their budget funds to pave dirt streets in downtown Durham and for Ms. Elvira Basnight.

Mayor Bell noted Council will need information on the assessment of streets unpaved, costs of paving streets and which streets require the petition process before moving forward on which streets will be paved and what the cost is going to be.

Council Member Stith asked the administration about the status of paving Chalk Level Road where Ms. Basnight lives.

City Manager Conner noted the administration did provide Council with a report outlining total number of unpaved streets, mileage and cost to pave them [\$31.8 million].

Relative to Chalk Level Road, Public Works Director Katie Kalb noted the City Council did approve this project and staff is waiting on funding to pave the street.

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Council Member Clement noted the City Council approved to pave a portion of Chalk Level Road and asked the administration to provide an update at the June 10, 2004 City Council Work Session on where it falls in the order of priority.

MOTION by Council Member Clement seconded by Council Member Best to receive comments from Melvin Whitley on the need to pave dirt streets in the City of Durham was approved at 10:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**SUBJECT: EXTENSION OF DESIGNATION FOR AMERICAN CENTER FOR
THE PERFORMING ARTS ASSOCIATES AS THE PREFERRED
DEVELOPER FOR THE EVENTS CENTER**

To approve an extension of time for American Center for the Performing Arts Associates as the preferred developer for the Events Center for four months beyond the current expiration date.

Mayor Bell outlined the purpose of this item noting the administration has requested that the American Center for the Performing Arts Associates be allowed four more months of planning on this theatre to obtain additional information so that Council can make a decision.

Council Member Clement expressed concern with Clear Channel's affiliate G-105.

Mayor Pro Tempore Cole-McFadden asked questions about the impact this theatre would have on the Carolina Theatre and noted they are a very important part of this community and the City has a lot invested in them.

Economic Development Director Alan DeLisle outlined reason for the extension and noted there have been preliminary discussions between the Carolina Theater and Clear Channel

Council Member Best expressed concern with extending the agreement noting Durham does not need this at this time due to the budget.

Council Member Stith noted he would not be supportive of a model that came back with the City having to put more public funding into it.

For clarification, Alan DeLisle noted the proposal on the table is a \$24 million COPS issuance by the City of which \$20 million is supported by the occupancy tax; \$18 million from non-City sources; \$10 million from Duke; Clear Channel's contribution/naming rights; and \$4 million from the net proceeds of the project.

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Mayor Bell asked the administration to come back with a plan that allows for public input and public comment at various stages during the remaining four months. He noted his suggestion would be to allow the process to move forward to build in public meetings and would not like to see the project stop at this point.

MOTION by Council Member Clement seconded by Council Member Stith to approve an extension of time for American Center for the Performing Arts Associates as the preferred developer for the Events Center for four months beyond the current expiration date was approved at 10:55 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Stith. Noes: Council Member Best. Absent: None.

Michael Bacon, of 911 Iredell Street, expressed concern with the public process and noted it is unfair to sit through the meeting and tell the citizens they have to come back another time.

The following individuals spoke in opposition to the extension expressing concern with Clear Channel, process and the theater: Caleb Southern, Rob Van Dewoestine [provided Council with a handout and gave a power point presentation on Durham Downtown Theater Benchmarks] and Denise Van DeCruze.

SUBJECT: 2004 FIRST QUARTER CRIME REPORT

MOTION by Council Member Clement seconded by Council Member Stith to receive a presentation on the 2004 First Quarter Crime Report was approved at 11:24 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: CONTRACTS

To authorize the City Manager to execute the list of contracts; and

To authorize the City Manager to make changes to the list of contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts.

The following contracts were referred to the June 10, 2004 City Council Work Session: Gaynell Sharpe and Parrish Anderson.

MOTION by Council Member Stith seconded by Council Member Clement to authorize the City Manager to execute the list of contracts as amended and to refer contracts with Gaynell Sharpe for senior exercise and Parrish Anderson for the out to lunch concert to the June 10, 2004 City Council Work Session; and

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To authorize the City Manager to make changes to the list of contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts was approved at 11:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Contractor	Contract Description	Dept	CT Amt
James Yourse	Summer concert Series	P&R	\$600.00
Imagine Music Group	Summer concert Series	P&R	\$1,200.00
Castle Branch, Inc	Pre-employment background checks	Env. Res.	\$1,500.00
Chez Bay	Cooking Program	P&R	\$3,500.00
Imagine Music Group	Summer concert Series	P&R	\$700.00
Imagine Music Group	Summer concert Series	P&R	\$1,200.00
Valeria Sumpter	Water Aerobics	P&R	\$1,000.00
Jesse Barnes, Jr.	Summer concert Series	P&R	\$450.00
Dezrick Dixon	Summer concert Series	P&R	\$500.00
Maria Rolls	Summer concert Series	P&R	\$700.00
Imagine Music Group	July 4 Celebration	P&R	\$2,000.00
Trina Hymes	Aerobics	P&R	\$1,300.00
Sherman Fogg	Martial Arts Instructor	P&R	\$3,200.00
Monica Perry	Senior Exercise	P&R	\$1,500.00
Gloria Bullock	Aerobics	P&R	\$2,000.00
Tracy Euliss	Water Aerobics	P&R	\$1,400.00
Arnetta Herring	Aerobics	P&R	\$2,300.00
Suzette Goldman	Aerobics	P&R	\$1,300.00
Michael Wright	Umpire	P&R	\$1,200.00
Anthony Pough	Umpire	P&R	\$1,200.00
John Burris	Umpire	P&R	\$1,200.00
Bob Tapp	Out to lunch concert	OEED	\$1,825.00
Crest Street Community Council	Park Maintenance Crest St Park	Gen Ser	\$9,000.00
Ramon Casiano	Summer Concert Series	P&R	\$550.00

Note: Further action was taken on the Parrish Anderson contract later in the meeting.

SUBJECT: BIDS - DATA BUS SHELTERS AND BENCHES – THREE YEARS TERM CONTRACT - DAYTECH MFG., INC.

Graham T. Olive, Jr. of 519 E. Main Street, outlined several locations where bus shelters are needed.

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Transit Administrator Steve Mancuso, of DATA, noted 90 shelters are for replacement and the other 10 could be used to put in at new locations. He noted staff will work with Mr. Olive on those locations.

Council Member Clement noted five school principals will be attending the June 10, 2004 Work Session requesting bus service for their school.

MOTION by Council Member Clement seconded by Council Member Catotti to accept the bid from Daytech Mfg., Inc. in the amount of \$297,900 for providing the City with (100) Bus Shelters and Benches; and

To authorize the City Manager to enter into a contract with Daytech Mfg., Inc. in the amount of \$297,900 for providing the City with (100) Bus Shelters and Benches; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 11:32 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: CONTRACT WITH MV TRANSPORTATION, INC.

To award the Contract for Fixed Route Transit Service Operation and Maintenance, and Optional Service to MV Transportation, Inc.; and

To authorize the City Manager to execute said Contract; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the contract awarded by City Council.

Assistant City Manager Voorhees gave a summary of staff's presentation at the work session noting that they conducted a formal RFP process with an evaluation panel which lasted some number of weeks. It resulted ultimately in two final vendors that proceeded to have additional discussion with staff. Both of those vendors were offered an opportunity to submit a best and final offer and from those best and final offers we ended up with the selection of MV Transportation. Some principals from MV are here in the audience who may have signed up to speak. We do note there was some question raised by a member of the DATA Board about some issues. We don't have really any direct comments about that to make. We can answer questions, but there has been some staff investigation into the process and as of this time, we have not been made aware of any improprieties in the process.

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City Manager Conner recognized staff to address the issue on the request by Connex that was received electronically, I believe on Thursday, regarding an appeal process.

Transit Administrator Steve Mancuso, of DATA, noted it was his understanding that Connex submitted a formal protest Friday evening. In that protest they were alleging two items. First of all that the proposal submitted by MV Transportation, Inc. was non-responsive because they would not be able to provide a proposed General Manager that they had stated in their proposal, and the second issue that Connex raised was the issue that Mr. Voorhees just addressed – the comments that were made back in the May 20th work session. Those issues have been resolved already and the fact of the matter is that MV Transportation has provided the General Manager that they proposed - so their proposal was in fact responsive as evidenced by his presence in the audience today and the fact that he had been working for MV Transportation since the first week in May. The only other issue that is associated with that protest that was received last Friday has to do with timing. It is actually not a timely protest because Connex was notified on May 3rd as to the final outcome and, in fact, who the particular proposed General Manager was by name and it would have been incumbent upon them to file the protest by May 17th not June 4th. So for all those reasons, I believe before you is a recommendation from staff that the protest submitted by Connex South, LLC be denied and then you act upon the staff recommendation having to do with the contract for fixed route services with MV Transportation.

Mayor Pro Tempore Cole-McFadden noted she had some concerns about the process for the selection of the general manager and I would like for us to look more in depth at how that process was handled. I think that in everything that we do needs to be above board and ethical and I am not convinced at this juncture that we are where we need to be. Ted, I do not know how in depth your investigation has been considering the complaints we received, but in all due respect to the complaint that came to us, I do not know about the timeframe but when that kind of allegation is made, I think we need to look at it.

Assistant City Manager Voorhees noted I can just briefly tell you my knowledge of the process and we have other people in the room. Certainly, Mr. Mancuso can produce the RFP itself and kind of take you through the timeline. I think we have at least one member of the panel in the room – Mr. Arch McAdoo, I believe served on the selection committee. There was some investigation by Internal Audit as to the process and you can certainly invite Wanda Page to come, and to what extent, her department feels comfortable that they have been able to ascertain anything. In particular, we have also invited the City Attorney's Office Patrick Baker to review matters. At this point, I don't believe the Attorney's Office feels like they have had sufficient time to render any particular opinions – but at this point neither Internal Audit nor the Attorney's Office have raised to staff anything that they have seen with what they have looked at so far. It seems like, from our position, that if there were any improprieties and we are not saying there are – then they would have been between the private parties and not between the city and any of the involved and that makes it very difficult for us to know if anything out-of-line happened. So we are sort of limited on how far an investigation can go but I can invite or you can invite others who I have mentioned to speak.

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Mayor Pro Tempore Cole-McFadden requested that this item be held until Thursday's Work Session.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Stith to refer this item to the June 10, 2004 City Council Work Session was approved at 11:39 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Note: Further discussion was held on this item later in the meeting.

SUBJECT: SEWER LINE FOR CREEKSIDE ELEMENTARY SCHOOL

To authorize the City Manager to execute an extension agreement for water and/or sewer, at no cost to the City, with the standard extension terms as set forth in the attached extension terms as set forth in the attached extension agreement and the location of the sewer line as shown on "Attachment A," or in an alternate location if requested by the developer(s) or owner(s) and approved by the Public Works Director.

City Manager Conner noted a request was received to continue this item to the June 10, 2004 City Council Work Session.

Anita Keith-Foust made comments on the location of this school. She expressed concern that a family's property [Isaac Woods] was not considered in the plans for running the water and sewer out to this location and noted we should try to benefit the entire community when using public funds.

LaVonnia Allison, representing DCABP, noted the wrong information was given to the County Commissioners, School Board and City Council and the City Council has allowed a racist situation to develop. Also, she requested that this item be pulled in order to have a meeting with all parties involved concerning this situation.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to refer this item to the June 10, 2004 City Council Work Session was approved at 11:48 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Catotti, Clement and Stith. Noes: Council Member Brown. Absent: None.

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: ZONING ORDINANCE TEXT CHANGE [TC03-13] – SIGN STANDARDS IN THE DOWNTOWN DESIGN OVERLAY AND GENERAL SIGN STANDARDS

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To adopt the Zoning Ordinance Text Change Ordinance [Case TC03-13] Amending the Zoning Ordinance.

City/County Planning Director Frank Duke noted this item was requested by University Ford and was continued from May 3, 2004. He stated that he has been advised by the City staff working on this issue that NCDOT has determined that they will not enter into an agreement with the City, but would enter into an agreement with the adjoining property owners. Meetings with the adjoining property owners are on-going and there is no resolution at this point. He noted staff's recommendation is for denial.

City Manager Conner recommended that this public hearing be continued to the August 2, 2004 City Council Meeting in order to receive information regarding the negotiations with the property owners and the State.

Mayor Bell opened the public hearing.

MOTION by Council Member Stith seconded by Council Member Clement to continue the public hearing on this item to the August 2, 2004 City Council Meeting was approved at 11:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: LAND USE PLAN AMENDMENT – TECHNOLOGY PARK NORTH (A03-16) – BANK OF AMERICA, AS TRUSTEE FOR NCNB REAL ESTATE FUND C/O MILTON R. HODGES

To conduct a public hearing and receive public comments on Plan Amendment (A03-16 - Technology Park North); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Southeast Durham Plan from Industrial to Medium Density Residential.

Planning Department Recommendation: Approval
Planning Commission Recommendation: Denial (12-0)

City/County Planning Director Frank Duke briefed Council on the staff report. He noted the applicant has offered as justification for this change the work done by TJCOG on their Center of the Region Study and staff has rejected this as a justification on the direction of the Joint City/County Planning Committee that staff not consider the CORE study as part of any plan amendments that are requested. However, he acknowledged that the Comprehensive Plan Steering Committee and their work in this area has recommended that this site be designated residential and that action does provide a justification. Mr. Duke noted changes are consistent with the Southeast Durham plan, discussed environmental, traffic and school impacts, noted staff is recommending

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approval and the Planning Commission recommended denial questioning the adequacy of industrial designated land within Durham.

Mayor Bell opened the public hearing.

Proponent

Mack Paul, representing the applicant, spoke in support of this plan amendment noting it is justified because it's practical and policy oriented. He noted the plan amendment supports the long-term economic goals, health and quality of life in Durham, provides a much needed residential opportunity near RTP at an appropriate location. He outlined reasons why the residential land use is appropriate at this site: 1) market demand is for residential not industrial; 2) area north TW Alexander Drive is farther away from the major transportation corridors; 3) site is not conducive to industrial development; and 4) there is ample industrial supply. Also, he made comments on the density issue. He urged Council to approve this plan amendment.

Opponents

Herb Davis, of 3001 Scuppernong Lane, spoke in opposition to this plan amendment expressing school impact concerns. He noted this is a short-term vision to say people are not going to occupy the site. Surely, Durham can attract some technology organizations to occupy this land. Also, he noted there are plenty of residential accommodations right now due to vacant town homes and apartments in the area.

George Conklin, of 2905 Scuppernong, spoke in opposition to this item. He noted he is not opposed to development and industrialization, but this is an example of spot zoning.

Scott Hawkins, of 104 Galax Lane, spoke in opposition to this item citing overcrowding of school.

A resident of Stirrup Creek spoke in opposition to this plan amendment noting there is plenty of high and medium density housing in the area.

LaVonnia Allison opposed the recommendation for changing the amendment noting they are not dealing with the formula that really reflects what is really happening in terms of the school system.

Rebuttal

Mack Paul, representing the applicant, made comments on the issues of spot zoning, high density and school impacts.

Mayor Bell closed the public hearing.

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Council Member Stith spoke in support of this item. Also, he asked staff if there is enough industrial land compared to residential.

City/County Planning Director Frank Duke noted we do have an adequate supply to accommodate the projected demand through 2030.

Council Member Brown asked staff questions on the number of units, school analysis and the issue of spot zoning.

Council Member Catotti raised objections to converting industrial land to residential.

MOTION by Council Member Stith seconded by Council Member Clement to conduct a public hearing and receive public comments on Plan Amendment (A03-16 - Technology Park North); and

To adopt a resolution to change the Land Use designation on the Future Land Use Map of the Southeast Durham Plan from Industrial to Medium Density Residential **FAILED** at 12:21 a.m. by the following vote: Ayes: Council Members Best, Clement and Stith. Noes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown and Catotti. Absent: None.

At this time during the meeting, additional information was heard on GBA#24 [Contract with MV Transportation].

SUBJECT: CONTRACT WITH MV TRANSPORTATION, INC.

Feysan Lodde, owner of MV Transportation, noted we did submit our proposal in good faith and she has full confidence in Mr. Hartley and her management team. She noted we are an honorable company with a very good reputation and look forward to providing the City with the best service that we can give. Also, she asked Council to support them in this endeavor.

[SUPPLEMENTAL ITEMS]

SUBJECT: RESOLUTION REAFFIRMING THE COMMITMENT OF THE CITY COUNCIL OF THE CITY OF DURHAM TO UPHOLD THE LAWS OF NORTH CAROLINA

Anita Keith-Foust, of 323 W. Trinity Avenue, made comments in support of this item. She noted that she is being denied access to public information and that information should be free or at a minimal fee. She urged Council to get City staff to uphold N. C. General Statute 132-1 [access to public records].

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MOTION by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to adopt a “Resolution Reaffirming the Commitment of the City Council of the City of Durham to Uphold the Laws of North Carolina” was approved at 12:25 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

Resolution #9119

SUBJECT: CONTRACT WITH THE DURHAM CRISIS RESPONSE CENTER

MOTION by Council Member Stith seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to enter into a contract with the Durham Crisis Response Center in the amount of \$111,142; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 12:25 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

SUBJECT: FY 2004-2005 CONSOLIDATED ACTION PLAN APPROVAL

MOTION by Council Member Stith seconded by Council Member Clement to amend the adopted 2004-2005 CDBG and ESG allocations as follows; and

- a. Decrease NECD by \$3,000 for a revised amount of \$25,000;
- b. Decrease Development Ventures, Inc. by \$7,000 for a revised amount of \$33,150;
- c. Decrease Ivy Community Center by \$5,000 for a revised amount of \$25,000;
- d. Decrease Housing for New Hope by \$26,000 for a revised amount of \$34,000;
- e. Allocate \$26,000 in ESG funds for Housing for New Hope.

To appropriate \$400,000 in Housing Bond proceeds for 2004-2005 HOME match; and

To appropriate \$85,888 in Housing Bond proceeds for 2004-2005 ESG match was approved at 12:26 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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At this time during the meeting, Council took action on the following item:

SUBJECT: CONTRACT WITH PARRISH ANDERSON – OUT TO LUNCH CONCERT

MOTION by Council Member Stith seconded by Council Member Clement to authorize the City Manager to enter into a contract with Parrish Anderson in the amount of \$1,825.00 for the out to lunch concert was approved at 12:28 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

There being no further business to come before the City Council, the meeting was adjourned at 12:28 a.m.

Linda E. Bratcher
Deputy City Clerk

D. Ann Gray, CMC
City Clerk